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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,449	04/07/2004	Katriina Halonen	915-006.037	7185

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EXAMINER
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MCFADDEN, SUSAN IRIS

ART UNIT	PAPER NUMBER
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2626

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/820,449	<b>Applicant(s)</b> HALONEN ET AL.	
	<b>Examiner</b> Susan McFadden	<b>Art Unit</b> 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 5 and 10-14 are objected to because of the following informalities: They contain numbers in parentheses. In claim 5, it is unclear what is meant by "with a hysteresis". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1,2,3,6-9, and 10 -14 are rejected under 35 U.S.C. 102(e) as being anticipated by Halverson et al. (6,742,021).

In regard to claims 1 and 7-9, Halverson et al. show in Figure, a system, computer program and product, software tool, and method for indicating speech-enabled input for multimodal interaction in an electronic device having a user interface, comprising: activating a multimodal user interaction feature of said user interface in which at least one key input option and at least one voice input option is provided (item 412), displaying (display) the at least one key input option on a display of said electronic device, characterized by checking, if at least one condition generally affecting voice input is fulfilled (additional input) and providing said at least one voice input option and

displaying indications of said voice input options on said display according to said condition (item 404, Abstract).

In regard to claims 2-3, Halverson et al. show that keywords are used (command words) and displayed , wherein there are displayed indications (indication of voice command mode, (col. 11-12) of voice input options on the display displaying if speech recognition is actually possible. They also show that the system can switch between voice command and manual commands. In manual command mode, words would be displayed and choices picked using a remote control (col. 11).

In regard to claim 6, Halverson et al. show the method and system discussed above where user histories are stored (backlog function, col. 12).

In regard to claims 10-14, Halverson show in Figs. 1a, a system on a mobile communication device capable of executing multimodal interactive browsing, comprising: a central processing unit CPU, a display connected to said CPU, to display visual content received from said CPU on said display, a key-based input system operably connected to said CPU, to provide a key input feature providing key input options displayed on said display, a microphone operably connected to said CPU, to provide a voice input feature, and a data bus, operably connected to said CPU, to handle data and to exchange data required for the operation of the CPU, wherein said CPU is configured to control multimodal interaction via said display, said key based input system and said microphone, and wherein said CPU is configured to monitor conditions that affect said voice input, and to provide said voice input feature and

display an indication of a voice input option of said voice input feature on said display according to said condition (Abstract, Fig. 1a, col. 3-4).

4. Claims 1, 7-9, and 10-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Christensson (6,532,447), cited by Applicant.

In regard to claims 1 and 7-9, Christensen show in Figs. 1-4, a system, computer program and product, software tool, and method for indicating speech-enabled input for multimodal interaction in an electronic device having a user interface, comprising: activating a multimodal user interaction feature of said user interface in which at least one key input option and at least one voice input option is provided (Fig. 4, keypad, microphone), displaying (display) the at least one key input option on a display of said electronic device, characterized by checking, if at least one condition generally affecting voice input is fulfilled (proximity sensor), and providing said at least one voice input option and displaying indications of said voice input options on said display according to said condition (Abstract, Fig. 4, col. 5, ln 17-35).

In regard to claims 10-14, Christensen show in Figs. 1-4, a system on a mobile communication device capable of executing multimodal interactive browsing, comprising: a central processing unit CPU, a display connected to said CPU, to display visual content received from said CPU on said display, a key-based input system operably connected to said CPU, to provide a key input feature providing key input options displayed on said display, a microphone operably connected to said CPU, to provide a voice input feature, and a data bus, operably connected to said CPU, to handle data and to exchange data required for the operation of the CPU, wherein said

CPU is configured to control multimodal interaction via said display, said key based input system and said microphone, and wherein said CPU is configured to monitor conditions that affect said voice input, and to provide said voice input feature and display an indication of a voice input option of said voice input feature on said display according to said condition(Abstract, Fig. 4, col. 5, ln 17-35).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christensson (6,532,447) in view of Son et al. (6,212,408), both cited by Applicant.

In regard to claims 2-3, Christensson show that keywords are used (command words) but does not specifically show that they are displayed. Son et al. show that voice commands are received and acted upon, wherein there are displayed indications (indication of voice command mode, Fig. 7, item 414) of voice input options on the display displaying if speech recognition is actually possible. (Abstract). They also show that the system can switch between voice command and manual commands. In manual command mode, words would be displayed (col. 13). Therefore, it would be obvious to one of ordinary skill in the art to add this feature because it provides the system with features that make it more user friendly (col. 2).

In regard to claims 4 and 6, Christensson show the method and system discussed above. They do not specifically show voice indications are displayed or that a backlog system is used. Son et al. show that voice commands are received and acted upon, wherein there are displayed indications (indication of voice command mode, Fig. 7, item 414) of voice input options on the display displaying if speech recognition is actually possible. (Abstract). Speech recognizers commonly display what they are recognizing and store data so that they can be easily trained. Therefore, it would be obvious to one of ordinary skill in the art to add these features because it provides the system with features that make it more user friendly (col. 2).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan McFadden whose telephone number is 571-272-7621. The examiner can normally be reached on Monday-Friday, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Susan McFadden  
Primary Examiner  
Art Unit 2626

August 22, 2007